



**{In Archive} Re: TVA Shipping Coal Ash to Minority Communities?**

Shane Hitchcock to: Franklin Hill, Leo Francendese, James Webster

05/20/2009 03:36 PM

Archive:

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Good analysis. How can we communicate the positive economic impact on local communities and address the protectiveness of sub D landfills?

Shane Hitchcock  
404-562-8718 (office)  
404-229-9529 (cell)  
Franklin Hill

----- Original Message -----

**From:** Franklin Hill  
**Sent:** 05/20/2009 02:09 PM EDT  
**To:** Allison Wise  
**Cc:** francendese.leo@epa.gov; "Scott Gordon" <gordon.scott@epa.gov>; "Shane Hitchcock" <hitchcock.shane@epa.gov>; Stan Meiburg; "Allison Wise" <wise.allison@epa.gov>; Randall Chaffins; Carl Terry; James Webster; Mary Wilkes; Freda Lockhart  
**Subject:** Re: TVA Shipping Coal Ash to Minority Communities?

Stan here is a quick look at the off site disposal analysis estimated time frame referenced in the order and an attempt to elaborate on the selection process, and site criteria. (b) (5)

(b) (5)

[attachment "MEMORANDUM to DD concerning Off-Site Disposal Status 5-20-09.doc" deleted by Shane Hitchcock/R4/USEPA/US]  
Allison Wise/R4/USEPA/US



Allison Wise/R4/USEPA/US

05/20/2009 01:18 PM

To Stan Meiburg/R4/USEPA/US@EPA

cc francendese.leo@epa.gov, Franklin Hill/R4/USEPA/US@EPA, "Scott Gordon" <gordon.scott@epa.gov>, "Shane Hitchcock" <hitchcock.shane@epa.gov>, Raquel Snyder/DC/USEPA/US@EPA, "Allison Wise" <wise.allison@epa.gov>

Subject Re: TVA Shipping Coal Ash to Minority Communities?

We referred the staffer to TVA (Justin Maierhofer) for follow up. I also gave him a heads up

Allison Wise, Director  
Congressional and Intergovernmental Relations  
EPA Region 4  
404/562-8346  
wise.allison@epa.gov  
Stan Meiburg/R4/USEPA/US

Stan Meiburg/R4/USEPA/US

To Raquel Snyder/DC/USEPA/US@EPA, Franklin Hill, "Shane

05/20/2009 12:36 PM

Hitchcock" <hitchcock.shane@epa.gov>,  
francendese.leo@epa.gov  
cc "Allison Wise" <wise.allison@epa.gov>, "Scott Gordon"  
<gordon.scott@epa.gov>  
Subject Re: TVA Shipping Coal Ash to Minority Communities? 

I don't, personally. Franklin/Shane/Leo, could you please find out more about this right away and let Allison know?

Stan  
A. Stanley Meiburg  
Acting Regional Administrator  
EPA Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA. 30303

Office: (404) 562-8357  
Fax: (404) 562-9961  
Cell: (404) 435-4234  
Email: meiburg.stan@epa.gov

Sent using Blackberry  
Raquel Snyder

----- Original Message -----

**From:** Raquel Snyder  
**Sent:** 05/20/2009 10:30 AM EDT  
**To:** Stan Meiburg  
**Subject:** Fw: TVA Shipping Coal Ash to Minority Communities?

Hi Stan,

Congresswoman Eddie Bernice Johnson called us about that article a few minutes ago. Do you know if a timeline has been set for a decision? Just checking. I know her office will ask.

Many thanks,

Raquel Snyder  
U.S. EPA  
Office of Congressional & Intergovernmental Relations  
(202) 564-9586  
FAX: (202) 501-1550

----- Forwarded by Raquel Snyder/DC/USEPA/US on 05/20/2009 10:28 AM -----

From: Allison Wise/R4/USEPA/US  
To: Bryan Myers/R4/USEPA/US@EPA, Raquel Snyder/DC/USEPA/US@EPA  
Date: 05/20/2009 10:21 AM  
Subject: Fw: TVA Shipping Coal Ash to Minority Communities?

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See discussion on ash disposal.

Allison Wise, Director

Congressional and Intergovernmental Relations  
EPA Region 4  
404/562-8346  
wise.allison@epa.gov


----- Forwarded by Allison Wise/R4/USEPA/US on 05/20/2009 10:20 AM -----

**Stan Meiburg/R4/USEPA/US**

05/19/2009 08:06 PM

To Barry Breen/DC/USEPA/US@EPA

cc Hill.Franklin@epamail.epa.gov@EPA, Shane  
Hitchcock/R4/USEPA/US@EPA, Leo  
Francendese/R4/USEPA/US@EPA, Carl  
Terry/R4/USEPA/US@EPA, Allison  
Wise/R4/USEPA/US@EPA, Scott  
Gordon/R4/USEPA/US@EPA, Beverly  
Banister/R4/USEPA/US@EPA, Mary  
Wilkes/R4/USEPA/US@EPA, Suzanne  
Rubini/R4/USEPA/US@EPA

Subject Re: Fw: TVA Shipping Coal Ash to Minority Communities? 

Barry--

(b) (5)



Stan

A. Stanley Meiburg  
Acting Regional Administrator  
EPA Region 4  
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61 Forsyth Street, SW  
Atlanta, GA 30303

Office: (404) 562-8357  
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Cell: (404) 435-4234  
Email: meiburg.stan@epa.gov

Barry Breen/DC/USEPA/US

Barry Breen/DC/USEPA/US

05/19/2009 06:53 PM

To Stan Meiburg/R4/USEPA/US@EPA

cc

Subject Fw: TVA Shipping Coal Ash to Minority Communities?

I wanted to make sure you're in the discussion too.  
What do you think?

Allyn Brooks-LaSure

----- Original Message -----

From: Allyn Brooks-LaSure

Sent: 05/19/2009 04:37 PM EDT

To: Bob Sussman; Barry Breen

Cc: Seth Oster; Adora Andy

Subject: TVA Shipping Coal Ash to Minority Communities?

Someone just sent this over.

(b) (5)

(b) (5)

## Pennsylvania rejected TVA coal ash that's going to poor communities in Alabama and Georgia 1



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It turns out that TVA also looked into sending the waste to Pennsylvania for dumping into abandoned mines—but that state's Department of Environmental Protection rejected the ash as substandard.

“This ash material was accidentally released from a disposal impoundment and mixed with



unknown materials in the river water and bottom sediment,” Pennsylvania DEP Secretary John Hanger announced last week. “DEP only certifies coal ash for mine reclamation in Pennsylvania that is not contaminated with other materials and can meet our stringent chemical requirements.”

But experts say that Pennsylvania’s toxicity standards for coal ash used in such projects are not particularly high—at least not high enough to keep the ash from damaging water quality in the vicinity of the dump sites.

“PADEP is hurling boulders through their glass house with their public rejection of TVA ash as too contaminated for mine disposal,” Earthjustice attorney Lisa Evans told Facing South.

Evans is one of the authors of a 2007 report that found widespread contamination of groundwater and surface water across Pennsylvania due to dumping of coal ash waste into abandoned mines as part of its land reclamation program. The report by the Clean Air Task Force found degraded water quality at two-thirds of the sites examined, with levels of arsenic, cadmium, chromium, copper, lead, nickel, zinc and other pollutants found to exceed drinking-water and other water-quality standards.

A Pennsylvania newspaper reports that the material was apparently being considered as fill for an amphitheater construction project underway on abandoned mine lands in Hazleton, a predominantly white community in the northeastern part of the state that gained fame in recent years for its controversial efforts to drive out illegal immigrants.

The Hazleton Standard-Speaker quoted a TVA spokesperson as saying the federal company decided on its own against sending the ash to Pennsylvania because the site where it was to be used lacked a liner to prevent the material from contaminating groundwater. Abandoned mines where coal ash waste is being dumped across Pennsylvania typically lack liners—one of the reasons why CATF’s report found such widespread water contamination.

Instead, TVA is sending the spilled coal ash waste from Tennessee to landfills in Taylor County, Ga. and Perry County, Ala. The choice of these communities for disposal of the waste raises environmental justice concerns, since almost 41% of Taylor County’s population is African-American and more than 24% of its residents live in poverty, while Alabama’s Perry County is 69% African-American with more than 32% of its population in poverty, according to the latest census data. Residents had no voice in the decision-making process, given that there was no opportunity for public comment.

The landfill officials have pointed out that their facilities have synthetic liners and systems to collect and treat the liquid runoff known as leachate in order to help prevent groundwater contamination. But even lined landfills with leachate collection systems provide no guarantee that the materials dumped into them won’t eventually impact groundwater.

In fact, the U.S. Environmental Protection Agency—which is now overseeing cleanup of the TVA spill—has acknowledged that all landfills eventually leak. The Environmental Research

Foundation points to a Federal Register notice from EPA that states:

There is good theoretical and empirical evidence that the hazardous constituents that are placed in land disposal facilities very likely will migrate from the facility into the broader environment. This may occur several years, even many decades, after placement of waste in the facility, but data and scientific prediction indicate that, in most cases, even with the application of best available land disposal technology, it will occur eventually.

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In addition, the leachate collection systems used in landfills are far from foolproof, ERF notes. For one thing, the systems have a tendency to clog up and/or corrode after a few decades. And as the fluid builds up and puts pressure on the bottom of the structure, it increases the likelihood of liner failure.

There's no doubt that TVA needs to clean up the spilled ash. The results of independent tests conducted on samples collected downstream from the spill that were released today found dangerous levels of toxic elements present in the water, sediment and fish, with some water samples showing arsenic levels 260 times and lead 16 times drinking water standards. The scientists also found fish with lesions and lost scales, which could be attributed to contaminated water.

But TVA's choice for disposing of the ash is not without its problems, either. Despite assurances by the company and government regulators that their plan is safe, the ash waste presents a very real risk to the communities where it's being sent for long-term storage.

At the very least, the authorities should acknowledge that fact.

-----

M. Allyn Brooks-LaSure | Deputy Associate Administrator for Public Affairs

U.S. Environmental Protection Agency | Office of Public Affairs

Phone: 202-564-8368 | Email: [brooks-lasure.allyn@epa.gov](mailto:brooks-lasure.allyn@epa.gov)

**{In Archive} Fw: Fw: TVA Shipping Coal Ash to Minority Communities ?**

**Barry Breen** to: Allyn Brooks-LaSure, Seth Oster, Adora Andy, Bob Sussman

05/20/2009 06:19 AM

Cc: marsha.minter, George Hull, Stan Meiburg

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Stan's message below has helpful context for the articles that Allyn spotted.

Stan Meiburg

----- Original Message -----

**From:** Stan Meiburg

**Sent:** 05/19/2009 08:06 PM EDT

**To:** Barry Breen

**Cc:** Hill.Franklin@epamail.epa.gov@EPA; Shane Hitchcock; Leo Francendese; Carl Terry; Allison Wise; Scott Gordon; Beverly Banister; Mary Wilkes; Suzanne Rubini

**Subject:** Re: Fw: TVA Shipping Coal Ash to Minority Communities?

Barry--

(b) (5)



Stan

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EPA Region 4  
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Barry Breen/DC/USEPA/US

**Barry Breen/DC/USEPA/US**

05/19/2009 06:53 PM

To Stan Meiburg/R4/USEPA/US@EPA

cc

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**Sent:** 05/19/2009 04:37 PM EDT

**To:** Bob Sussman; Barry Breen

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**Subject:** TVA Shipping Coal Ash to Minority Communities?

Someone just sent this over

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## Pennsylvania rejected TVA coal ash that's going to poor communities in Alabama and Georgia [1](#)



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It turns out that TVA also looked into sending the waste to Pennsylvania for dumping into abandoned mines—but that state's Department of Environmental Protection rejected the ash as substandard.

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Pennsylvania that is not contaminated with other materials and can meet our stringent chemical requirements.”

But experts say that Pennsylvania’s toxicity standards for coal ash used in such projects are not particularly high—at least not high enough to keep the ash from damaging water quality in the vicinity of the dump sites.

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Evans is one of the authors of [a 2007 report](#) that found widespread contamination of groundwater and surface water across Pennsylvania due to dumping of coal ash waste into abandoned mines as part of its land reclamation program. The report by the [Clean Air Task Force](#) found degraded water quality at two-thirds of the sites examined, with levels of arsenic, cadmium, chromium, copper, lead, nickel, zinc and other pollutants found to exceed drinking-water and other water-quality standards.

A Pennsylvania newspaper [reports](#) that the material was apparently being considered as fill for an amphitheater construction project underway on abandoned mine lands in Hazleton, a predominantly white community in the northeastern part of the state that gained fame in recent years for its [controversial efforts to drive out illegal immigrants](#).

The Hazleton Standard-Speaker quoted a TVA spokesperson as saying the federal company decided on its own against sending the ash to Pennsylvania because the site where it was to be used lacked a liner to prevent the material from contaminating groundwater. Abandoned mines where coal ash waste is being dumped across Pennsylvania typically lack liners—one of the reasons why CATF’s report found such widespread water contamination.

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The landfill officials have pointed out that their facilities have synthetic liners and systems to collect and treat the liquid runoff known as leachate in order to help prevent groundwater contamination. But even lined landfills with leachate collection systems provide no guarantee that the materials dumped into them won’t eventually impact groundwater.

In fact, the U.S. Environmental Protection Agency—which is now [overseeing cleanup of the TVA spill](#)—has acknowledged that all landfills eventually leak. The Environmental Research Foundation [points to a Federal Register notice from EPA that states](#):

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At the very least, the authorities should acknowledge that fact.

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U.S. Environmental Protection Agency | Office of Public Affairs

Phone: 202-564-8368 | Email: [brooks-lasure.allyn@epa.gov](mailto:brooks-lasure.allyn@epa.gov)



{In Archive} TVA Shipping Coal Ash to Minority Communities ?

Allyn Brooks-LaSure to: Bob Sussman, Barry Breen

05/19/2009 04:37 PM

Cc: Seth Oster, Adora Andy

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U.S. Environmental Protection Agency | Office of Public Affairs

Phone: 202-564-8368 | Email: [brooks-lasure.allyn@epa.gov](mailto:brooks-lasure.allyn@epa.gov)



**{In Archive} Re: TVA Shipping Coal Ash to Minority Communities ?** 

**Allyn Brooks-LaSure** to: Bob Sussman, Barry Breen, George Hull, Marsha Minter

05/19/2009 08:10 PM

Cc: Seth Oster, Adora Andy

Archive: This message is being viewed in an archive.

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Resending this message.

MABL.

-----

M. Allyn Brooks-LaSure  
U.S. Environmental Protection Agency  
Cell: 202-631-0415  
Allyn Brooks-LaSure

----- Original Message -----

**From:** Allyn Brooks-LaSure  
**Sent:** 05/19/2009 04:37 PM EDT  
**To:** Bob Sussman; Barry Breen  
**Cc:** Seth Oster; Adora Andy  
**Subject:** TVA Shipping Coal Ash to Minority Communities?

Someone just sent this over

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